

**Marine reserves public meeting**  
**August 6, 2008 6pm – 8pm, Agate Beach Best Western**

**Questions and Comments Received at the meeting (organized into topics):**

**Biological Assessment**

**Question:** Smaller non-fisheries species are not commonly worked with or studied. Is ODFW going to have consistent methodology for the biological surveys? How do you monitor specific differences between site locations?

**Response:** There will be an overall plan (method) along with site specific studies or target organisms. There may not be enough knowledge or current scientific data to accurately monitor some species. The first methodology may be more of a rapid whole area assessment, then change the assessment to a more detailed monitoring strategy.

**Comment:** Start with a rough assessment of sites and work with fishermen to determine what species are currently there and have been there historically (do “rough assessment” b/t steps P3 and P4 of work plan).

**Question:** How are the recommendations from the previous scientific meeting being incorporated into the work plan?

**Response:** A scientific workshop was held July 14, 2009 in Corvallis. The workshop produced more of a general plan with some goals for the biological assessment. ODFW used those points as beginning thoughts to create the current work plan. A summary of the scientific meeting will be posted on the marine reserves website.

**Question:** The work plan mentions comparison sites for study along with the pilot reserve sites. How do you know about the fishing pressure on the comparison sites? What about fishing pressure around both sites and shifts that may occur after implementing marine reserve rules? It seems like there is a lot of variability.

**Response:** The definition of comparison site is a loose term, it is not possible to find a site that will be a perfect comparison to the pilot site. Selecting sites for comparison will be one of the big challenges and we will research and attempt to find the best available location. There will be some elements of compromise and decisions will have to be made about the priorities of the comparison sites.

- There will be a need to measure the fishing effort at the pilot site and the comparison site. However, that may not take historical use into effect, currently there is a lot of fishing effort at red fish rocks before it becomes a marine reserve and is off limits.

**Question:** The baseline data collection looks ambitious. Do you expect to find shifts or changes within the 1 year time frame? How will ODFW report these changes to the legislature?

**Response:** During the first year ODFW will not be focusing on changes at the pilot site or between sites. The baseline data collection will be more like a snapshot of what is there over this next year. Change between the comparison and pilot sites will be

monitored over many years. Since there is so much variability year to year any significant differences will need to occur over several years to be considered. We do not expect to report a significant change to the legislature at the end of this year but over time the monitoring should produce results. Pilot sites will have adaptive management, changing as necessary over time.

**Comment:** Would be helpful if groups could get consistent habitat maps.

**Question:** When looking at the amount of time for the baseline science what does ODFW expect it will be able to report? Will it just be methodology and a monitoring plan for the future? Is the state of science such that we can compare sites?

**Response:** ODFW is attempting to answer the question of what species are actually located within the reserve pilot sites. We will most likely not see any changes between pilot sites and comparison sites. Need to take long term approach. As research continues ODFW will need to be proactive in getting information and results out to the public and the community groups.

**Question:** The deadline for baseline results seems very soon. Should ODFW be collecting data right now to have 1 year worth of data?

**Response:** Data collection will begin soon but we will probably collect data into fall of next year to complete a full year of data collection.

**Comment:** One of the challenges of a biological study is the changes in the fishing strategies (due to regulation changes, changes in environment, weather, etc.), especially in Depoe Bay. ODFW should consider monitoring what the fishing industry is catching in the area. For example last year most fishermen caught rock cod and ling cod but this year they are catching more salmon and tuna. These shifts could be important.

**Response:** There is so much variance from year to year in the environment and the fishing pressure. All differences will need to be measured on a long term scale. Otter Rock is a fairly small and shallow reserve and weather will be a factor especially in the winter.

**Question:** Are there any current assignments on the biological assessment?

**Response:** A lot of work has already been done and pilot sites will be able to hit the ground running in terms of monitoring objectives. POORT already has a lot of information but will need more bathymetry work. ODFW will work with community teams and groups to determine priorities for information.

### **Community Teams**

**Comment:** Tillamook county group has already formed and would like to be communicated with.

**Response:** Solidifying community teams is the next step for eval sites. One problem is that multiple counties may have interests in more than one group. Collaborations need to be formed between interested groups. Community teams will be grounded in open public meetings.

**Comment:** Notices about the marine reserve process should be through local governments, such as counties, so that all groups feel equal and communicated with.

**Question:** What is the definition of collaboration?

**Response:** Collaboration has elements of openness, fairness of representation across interest groups, helping to build something together, and open mindedness with no pre-conclusions already formed. Statewide aspect.

-Another way to think about it is collaboration in contrast to consultation. Consultation is seeking advice on something that has already been built, while collaboration means building something together. Will collaborate within rules that were defined by the legislature.

-Coastal Caucus looking for good representation of those affected

**Comment:** Concern about including all affected without over extending participants.

**Question:** Is the State developing a framework for the formation of community teams?

**Response:** The legislature has given rules for the formation and structure of community teams. ODFW hopes to work with existing teams to make sure that they fulfill these rules, hopefully it will be a two way street to get the community teams where they need to be.

-ODFW is sensitive and flexible to teams that are already forming but there needs to be a level playing field to make sure that everyone is heard and to ensure that groups represent all stakeholders. There will be only 1 community team for each reserve site. ODFW is encouraging teams to use local government structures because they already have most of the structure necessary for working groups such as meeting areas, rules and methods of conducting meetings, and have set up avenues of communication with interest groups. However, decisions should be voted on by the active members of the group and not go through the county commission or other government officials for final decision.

**Question:** Who actually decides what people are on the community teams? If someone is interested who do they contact? What about scientists how do they get on the list or into these groups?

**Response:** ODFW has not established a system for taking names and distributing them to respective groups who need them. However, it will probably follow a solicitation process.

-Where initiatives have already been set up by groups ODFW will try to align those groups with the requirements of the bill. Will start with the intent to form balanced groups. If the groups seem to be unbalanced, not representative, or do not follow the rules, ODFW will correct the situation. Recognition that ODFW is in the driver's seat.

-STAC + list of scientists is a start for a contact list for experts in scientific areas, however, these people were identified as experts by others and may not necessarily be interested in participating or even know anything about the process.

**Question:** Will there be consistency in the community team size? Will the teams have the same number of people and equal representation among stake holders so that they are

weighted properly? Want to avoid situation where a vote is won simply because one party outnumbers the others.

**Response:** The legislature made specific rules on the community groups to ensure that they are balanced. There are no regulations on the exact number of people but community groups should not be too big or else nothing will get accomplished.

**Question:** In Tillamook County there may be a couple of sites and therefore a couple of community teams, can we have the same people on both teams?

**Response:** Yes.

**Audience comment:** If there are different people on each group there is a chance to have other people to step into community leadership roles.

**Audience comment:** There may not be enough fishermen that have time to donate to multiple groups.

**Response:** Agreed that there are a limited number of people with enough time to volunteer. The process needs people who are committed to completing the project and community groups should only be interested in people who are able stay for the long haul. There needs to be a primary and an alternate leader and we have an expectation that those leaders will speak to everyone within the group and other interested groups.

**Question:** How much time commitment is expected of a community team member?

**Response:** Varies depending on individual team, but probably monthly meetings roughly 3 hours long. Coos Bay group is meeting monthly so that is at least a minimum.

**Audience comment:** Based on experience, with outreach meetings, phone calls, etc. it probably amounts to spending about 10-16 hours a month.

**Comment:** Attendance of members at community meetings is critical because of the short timeline. Maybe there should be consequences for members who are absent, perhaps inability to vote. Also, all meetings should be open for the public to comment and question.

**Response:** Example: Coos Bay will hold 3 major public meetings to allow for public comment and questions, but the working group will not take comments during meetings in order to accomplish goals.

**Comment:** Build outreach and public input into teams. It is important for community team members to reach out to their own constituents.

**Response:** Community team members are expected to be reporting back/communicating with their constituents/interests they represent.

**Question:** Representation for community group leadership should attempt to be diverse. Do the HB 3013 requirements for team membership apply to pilot sites?

**Response:** Expanding team membership for the pilot site groups is strongly encouraged but not required. ODFW will encourage groups to have balanced stakeholders. Hopefully both POORT and NSAT will be open to adding more people to accomplish diversity.

**Question:** HB 3013 states that outside advisors may be used by community groups – what exactly does that mean?

**Response:** The bill does not actually require the pilot groups to meet the 3013 membership requirements, but it is a goal that ODFW will strive for. Since the groups for the pilot sites already exist and have already formed their leadership an outside advisor can be helpful in certain situations and can be used without being brought directly into the pre-existing group. The purpose of the community teams is to build proposals and to further refine the proposed sites to determine the dimensions and if more collaboration or information is needed. The reserve pilot sites are already decided and those groups' goals are to evaluate and monitor those locations to help determine rules and enforcement. ODFW and STAC will assist all groups to help achieve diversity in the community leadership in accordance with the bill.

**Comment:** Third party facilitation should be used for all groups to help groups through disagreements.

**Response:** ODFW will attempt to provide a method for neutral third party facilitation but it is dependent on funding.

**Question:** Has ODFW looked at the members in all community teams? What if the teams do not meet the needs of the community or the requirements of the bill?

**Response:** ODFW has not examined all of the community teams that have been formed or are forming. ODFW will work with the teams first to attempt to fix groups if they are unbalanced.

**Question:** Is there a deadline for community action teams to be formed?

**Response:** There is no deadline yet but hopefully groups will be formed ASAP, probably within the next month. ODFW is hiring a position to oversee the community groups and outreach; they will hopefully be onboard in late summer.

### **Communication**

**Comment:** There needs to be a better communication system to reach the fishing community. This time of year is not good for most fishermen because they are very busy fishing.

**Comment:** The reserves cover a large area. Distant water fishermen may be left out of communication about marine reserves because the focus is on port communities where fishermen catch fish not where they land their catch. There needs to be a way to communicate with people from outside of communities or who move from one place to another.

**Comment:** There needs to be certainty that the stakeholders or users that are impacted are heard. Public meetings at “normal” business time are not good for other groups; specific outreach should be made to reach those parties.

**Comment:** Outreach should occur in inland communities not just on the coast.

**Comment:** Outreach should be more than meeting notices.

**Comment:** Outreach needs to be outside the box and unconventional to reach all interested groups. Only the usual people who show up to these meetings are here; may not be reaching new people. There need to be more directed meetings specifically seeking out the tougher groups.

-Suggestion: go to where those specific groups are at. If it is possible it might help for the ODFW community liaison to go to the fishermen's locations in the bar or wherever they are.

**Response:** Agreed that traditional avenues may not work; ODFW is open to new ideas and will need community help (but can't go to the bars).

**Comment:** ODFW should create more positive media attention so that people can see that it is not so bad to participate in this whole process. Make people want to participate.

**Comment:** People who come to these types of meetings are those who are already invested or people who like meetings. To reach people in the general public we need to go to groups that are already meeting (i.e. coffee groups) to tell them about what we are doing and how they can get involved. Encourage community members to do their own outreach because they know their own community better than ODFW. We will need the general population during this process and we need to include them at all stages.

**Question:** Will ODFW have a newsletter to cover what is happening?

**Response:** Current marine reserves website ([www.oreognmarinereserves.net](http://www.oreognmarinereserves.net)) will continue.

**Comment:** ODFW needs to do a better job of keeping field offices informed so that they can talk to the communities where they are based.

**Question:** Could we use the website to access meeting minutes?

**Response:** The marine reserves website will have minutes and other information to pass along to community teams. ODFW will post the schedules for and minutes of public meetings, including those for the rule making process. Community team meetings may and probably will occur in their local areas.

**Comment:** The website is very important for transparency and can help link community teams, the general public and outreach meetings. Meeting summaries should be written and posted within the week of the meeting and community groups should post any helpful information.

**Comment:** Volunteers or community advisors would be helpful if community teams are lacking representation or need specific information.

**Comment:** Ideas for collaboration include keeping a list of services or expertise that ODFW is looking for in volunteers, such as grant writers and areas of

biological/economic experience. This list would help identify community team needs and help identify specialized volunteers and place them in groups that need them.

### **Rulemaking**

**Question:** What is the order in regards to making and enforcing rules in the pilot sites?

**Response:** The rulemaking process is beginning now. Rules prohibiting take of species will not be effective until after the baseline data has been collected.

**Question:** Who is making and enforcing the rules?

**Response:** The rules will be decided at the agency commission level for the respective agencies. ODFW commission will make rules on fishing and animal species take. Department of State Lands (DSL) will delineate the actual boundaries of the sites and have a permitting process for dredge spoil dumping. Oregon parks and recreation department (OPRD) will make rules on the take of algae and non-living intertidal take. It is typical, especially in the marine environment, to have several agencies with rules over different aspects of the same area.

-Enforcement will be done by the Oregon State Police, as in all rules made by ODFW. Also, rules may be enforced or directed through a permitting process. If rules are broken then the State Police will be in charge.

-The rule making process will be public and there will be joint public meetings for comments on any of the rules. Joint meetings will be in October in Salem, Port Orford, and Depoe Bay or Otter Rock. Fish and Wildlife Commission will adopt rules at December Commission meeting.

### **Funding**

**Question:** The information that we need to acquire is big, do we have the resources to accomplish what is required by the bill in the amount of time allowed?

**Response:** Will need to set priorities on information. ODFW will need to decide what data needs to be collected and the available money and time will probably determine what those priorities will be. Focus on leveraging and collaboration. ODFW is working on collaboration with local scientists and other groups who may come with their own money and resources to help augment agency information. There is not enough money or time to accomplish everything but we are confident in getting some additional money to obtain what we can in the time allotted.

**Question:** How is the money going to be divided between the pilot and developing sites?

**Response:** Do not have exact percentages but will work through the process with all groups concerned. Each site may have different needs (filling in gaps vs. new data collection), so will need to coordinate. For pilot sites, will decide on priorities to get a minimum level of necessary baseline data. Will also work with the eval groups. This is an equal opportunity for the eval sites, they are not subordinate to the pilot sites.

**Comment:** It would not be fair if communities that already have money were the only ones to accomplish research necessary to make decisions on proposal sites.

**Comment:** Social/economic data may be more important than biological data for teams to use in designing sites.

**Question:** Are there ideas or proposals about where the other 1 million dollars is coming from?

**Response:** There is some interest from a federal economic development group in funding some research. We are going to have to chase the \$1M. The key is that the outside funds will only be accepted for research that fits the work plan. It is an Oregon process and outside money will not influence policy. Before the outside funds come in ODFW will need to go to the legislature to get approval to use the second million dollars.

**Question:** Has ODFW looked to fishing industry for funds?

**Response:** ODFW is not looking to the fishing industry for funding. No license dollars will be spent on reserves.

### **Mapping**

**Question** about territorial sea mapping:

**Response:** Mapping of the territorial sea floor is starting this summer. There is a priority to hit evaluation and pilot marine reserve sites first. The thought is that roughly 40% will get done this summer. The mapping will only be physical mapping of structure present not biological information. This mapping will help environmental and fishing groups have consistent maps in same language so that areas can be clearly discussed.

### **General Comments**

**Comment:** There is a potential for disruptive tangents if all people are allowed to comment without restriction. Meetings need to maintain rules if rules are stated at the beginning.

**Comment:** Session just ended and the bill just went into effect July 1. Thank ODFW for moving quickly on this issue.

**Comment:** Positive comment on ODFW's effort to collaborate and communicate. The dialog seems to be respectful of all opinions.

**Question** about the timeline:

**Response:** There is overlap between the work plan phases/products. Work will be occurring concurrently.

**Comment:** There seems to be a different tone in the room [from early meetings], one of encouragement and openness about communication.

### **Written Comments (transcribed from comment cards)**



**Comment:** “We would like an ODFW workplan that is consistent with the direction and inclusive spirit of HB 3013

- Ensure process is clear and transparent
- Have a public process for volunteers to participate in the community team
- Ensure that third party facilitators are used for all meetings
- That the notes or minutes are accessible to the public
- The plan is based in best available science
- The public at large are able to participate and comment throughout the process”

**Comment:** “-It’s important to have a neutral 3<sup>rd</sup> party facilitator

-Public involvement should be included at each community group meeting.

-I would like to see the remaining process be in good faith with the HB 3013.”

**Comment:** “-I would like to see 3<sup>rd</sup> party facilitation for all 6 community teams.

-Meetings should be set in places that are considered neutral by all stakeholder groups.

-The process for each group’s selection & operation should be consistent along the whole coast.

-Any sites that are selected should be [scientifically?] and ecologically defensible. If they are found not to be, then the boundaries should be changed.”

**Comment:** “3<sup>rd</sup> party facilitation needs to be implemented for each site. Professional facilitation will best [?] to keep groups working in good faith towards a quality product in a timely manner.”

**Comment:** “1) How will know if true authentic collaboration is taking place.

A) Neutral facilitation

B) “Self” evaluation

C) Or hope for the best

2) Will pilot site community teams be reviewed for collaboration effort and or be monitored for collaboration, engagement & development.

A) the term “advisor” is that a full member with rights & responsibilities, or temporary position for information only.”

**Comment:** “Will the general public be informed about the nomination process for the opportunity to be included on community teams. Who will spearhead outreach ODFW or Sea Grant?

Website only

Newspaper & radio articles?

Meeting notice of public meetings

Or some or all of the above”

**Comment:** “How can the public express concerns if they believe or feel true and authentic collaboration is not taking place”

**Comment:** “Nature-serve (ORNIC) – keeps lists of rare species - with site occurrences – including some marine groups. Please check the 40 species of marine algae now on these lists.”

**Comment:** “-NSAT & POORT should open their representation like all of the other sites.

-Are MPA’s included? - I hope so

-NSAT (Otter Rock) was not a collaborative process – we shouldn’t act like it was.

-Who decides on community team make-up? Please make it fair.

-Best available science – let STAC / S&S recommendations guide us in system of M.R.’s / NSAT’s is too small!

-All of Oregonians should have a voice in this effort. How?

-Community processes need to be facilitated by someone who is truly independent / not ODFW or Sea Grant.

-How do you deal with “social value”? A system of “no take” reference areas are incredibly valuable when managing our nearshore unassessed species”